

UNITED STATES DISTRICT COURT

FILED
DISTRICT COURT OF GUAM

for

District of Guam

JUN 14 2006

MARY L.M. MORAN
CLERK OF COURT

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Jian Rong Li Case Number: CR04-00006-001

Name of Sentencing Judicial Officer: Morrison C. England, Jr.

Date of Original Sentence: November 16, 2004

Original Offense: False Use of Passport, 18 U.S.C. §1543.

Original Sentence: Six months imprisonment to be followed by a two year term of supervised release with conditions to include: that the drug condition is suspended based on the court's determination that the defendant poses a low risk of future substance abuse; comply with the standard conditions of supervised release as set forth by the U.S. Probation Office; pay a \$100 special assessment fee; and that he be turned over to a duly authorized immigration official for deportation proceedings pursuant to 18 U.S.C. §3583(d), and with the established procedures provided by the Immigration and Naturalization Act under 8 U.S.C. §1101. As a further condition of supervised release, if ordered deported, the defendant shall remain outside of the United States and shall not re-enter the United States without the permission of the Attorney General. If deportation fails to occur and the defendant is pending any further immigration proceedings, he shall immediately report to the U.S. Probation Office to begin his term of supervised release; and pay a \$2,000 fine from funds confiscated by the Bureau of Immigration and Border Protection.

Type of Supervised Release Date Supervision Commenced: December 28, 2004

Assistant U.S. Attorney: Karon V. Johnson Defense Attorney: G. Patrick Civile

PETITIONING THE COURT

- ☒ To issue a warrant
☐ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

1. Failure to appear to begin supervised release term on April 19, 2005.

ORIGINAL

U.S. Probation Officer Recommendation:

☒ The term of supervision should be

☒ revoked.

☐ extended _____ years, for a total term of _____ years.

☐ The conditions of supervision should be modified as follows:


***Please see attached Declaration in Support of Petition written by
U.S. Probation Officer Judy Anne L. Ocampo.***

Reviewed by:

Reviewed by:

I declare under penalty of perjury
that the foregoing is true and
correct.


ROSSANNA VILLAGOMEZ-AGUON
U.S. Probation Officer
Supervision Unit Leader


KARON V. JOHNSON
Assistant U.S. Attorney


JUDY ANNE L. OCAMPO
U.S. Probation Officer

Date: 5/31/06

Date: 6-12-2006

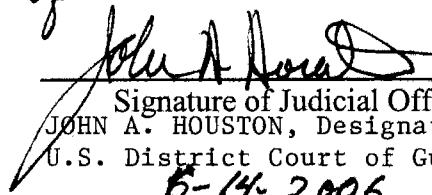
Executed on: 5/31/06

THE COURT ORDERS:

- ☐ No action.
☒ The issuance of a warrant.
☐ The issuance of a summons.
☐ Other

RECEIVED
JUN 12 2006
DISTRICT COURT OF GUAM
HAGATNA, GUAM

*The court finds probable
cause for the issuance
of a warrant.*


Signature of Judicial Officer
JOHN A. HOUSTON, Designated Judge
U.S. District Court of Guam

6-14-2006

Date

VIOLATION WORKSHEET

1. Defendant Jian Rong Li
2. Docket Number (Year-Sequence-Defendant No.) CR 04-00006-001
3. District/Office Guam
4. Original Sentence Date 11 / 16 / 04
month day year

(If different than above):

5. Original District/Office N/A
6. Original Docket Number (Year-Sequence-Defendant No.) N/A
7. List each violation and determine the applicable grade (see §7B1.1(b))

<u>Violation(s)</u>	<u>Grade</u>
● Failure to appear to begin supervision release term on April 19, 2005.	C
●	
●	
●	
●	
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●	
●	

8. Most Serious Grade of Violation (see §7B1.1(b)) C
9. Criminal History Category (see §7B1.4(a)) I
10. Range of Imprisonment (see §7B1.4(a)) 3 - 9 months

11. Sentencing Options for Grade B and C Violations Only (Check the appropriate box):

- ☒ (a) If the minimum term of imprisonment determined under §7B1.4 (Term of Imprisonment) is at least one month but not more than six months, §7B1.3(c)(1) provides sentencing options to imprisonment.
- ☐ (b) If the minimum term of imprisonment determined under §7B1.4 (Term of Imprisonment) is more than six months but not more than ten months, §7B1.3(c)(2) provides sentencing options to imprisonment.
- ☐ (c) If the minimum term of imprisonment determined under §7B1.4 (Term of Imprisonment) is more than ten months, no sentencing options to imprisonment are available.

Defendant: Jian Rong Li

12. Unsatisfied Conditions of Original Sentence

List any restitution, fine, community confinement, home detention, or intermittent confinement previously imposed in connection with the sentence for which revocation is ordered that remains unpaid or unserved at the time of revocation (see §7B1.3(d)):

Restitution (\$)	<u>N/A</u>	Community Confinement	<u>N/A</u>
Fine (\$)	<u>N/A</u>	Home Detention	<u>N/A</u>
Other	<u></u>	Intermittent Confinement	<u>N/A</u>

13. Supervised Release

If probation is to be revoked, determine the length, if any, of the term of supervised release according to the provisions of §§5D1.1-1.3 (see §7B1.3(g)(1)).

Term: N/A to N/A years.

If supervised release is revoked and the term of imprisonment imposed is less than the maximum term of imprisonment imposable upon revocation, the defendant may, to the extent permitted by law, be ordered to recommence supervised release upon release from imprisonment (see 18 U.S.C. §3583(e) and §7B1.3(g)(2)).

Period of supervised release to be served following release from imprisonment: 27- 33 months

14. Departure

List aggravating and mitigating factors that may warrant a sentence outside the applicable range of imprisonment:

None.

15. Official Detention Adjustment (see §7B1.3(e)): months days

**UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF GUAM**

UNITED STATES OF AMERICA)	CRIMINAL CASE NO. 04-00006-001
)	
Plaintiff,)	
)	DECLARATION IN SUPPORT OF PETITION
vs.)	
)	
JIAN RONG LI,)	
)	
Defendant.)	
<hr/>		

Re: Violation of Supervised Release Conditions; Warrant requested.

I, U.S. Probation Officer Judy Anne L. Ocampo, am the U.S. Probation Officer assigned to supervise the Court-ordered conditions of supervised release for Jian Rong Li, and in that capacity declare as follows:

Jian Rong Li was sentenced on November 16, 2004 for False Use of Passport, in violation of 18 U.S.C. §1543. He is alleged to have violated the following conditions of his supervision:

Mandatory Condition: *The defendant shall be turned over to a duly authorized immigration official for deportation proceedings pursuant to 18 U.S.C. §3583(d), and with the established procedures provided by the Immigration and Naturalization Act under 8 U.S.C. §1101. As a further condition of supervised release, if ordered deported, the defendant shall remain outside of the United States and shall not re-enter the United States without the permission of the Attorney General. If deportation fails to occur and the defendant is pending any further immigration proceedings, she shall immediately report to the U.S. Probation Office to begin her term of supervised release. On November 16, 2004, Jian Rong Li was sentenced to six months imprisonment followed by a two year term of supervised release, and turned over to the custody of the Immigration and Customs Enforcement (ICE) pursuant to a detainer. On December 28, 2004, Mr. Li was released from the Department of Corrections on Guam pending immigration proceedings and transferred to the custody of BICE. On April 19, 2005, he was granted asylum and released. On September 1, 2005, the U.S. Probation Office received notification of the release. Attempts have been made to locate him, however ICE does not have any contact information.*

Recommendation: This probation officer respectfully requests that the Court issue a Warrant for Jian Rong Li in order to appear at a scheduled hearing to answer or show cause why his term of supervised release should not be revoked, pursuant to 18 U.S.C. § 3583.

DECLARATION IN SUPPORT OF PETITION

Violation of Supervised Release Conditions; Warrant Requested

Re: CHEN, Bing Jin

USDC Cr. Cs. No. 05-00034-002

May 31, 2006

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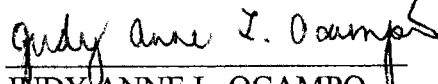
Executed this 31st day of May 2006, at Hagatna, Guam, in conformance with the provisions of 28 U.S.C. § 1746.

I declare, under penalty of perjury, that the foregoing is true and correct, except those matters stated upon information and belief, and as to those matters, I believe them to be true.

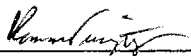
Respectfully submitted,

FRANK MICHAEL CRUZ
Chief U.S. Probation Officer

By:


JUDY ANNE L. OCAMPO
U.S. Probation Officer

Reviewed by:


ROSSANNA VILLAGOMEZ-AGUON
U.S. Probation Officer
Supervision Unit Leader

cc: Karon V. Johnson, AUSA
G. Patrick Civile, Defense Counsel
File